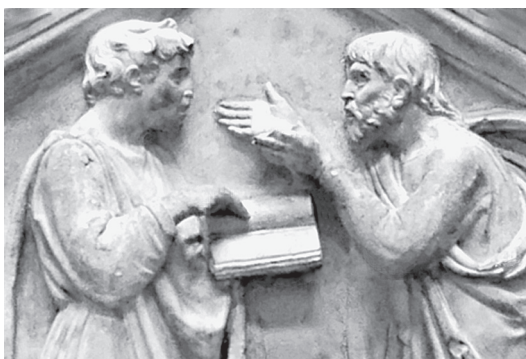


Rawls's Defence of the Ideal of Democracy Against Criticisms from Plato and Aristotle

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Arguments from Aristotle and Plato for rule by the best are examined. Rawls's replies to their objections to democracy that it can be a tyranny of the majority or rule by the ignorant are argued to be effective. In the course of this reply, Rawls argues for a political ideal that would involve ideally equal political representation of every citizen, which both Plato and Aristotle would consider ruinous for society, though for different reasons. It is shown that this ideal is far from met in contemporary democratic societies.



Plato and Aristotle on “rule by the best”

Plato's argument in the *Republic* for rule by the best is straightforward. The best see what is good and just. To put others in charge of the city will do the gravest harm to the city and thus be unjust. To guide a ship at sea, we call on people with expert understanding of how to get to where we aim to go. So we should call on people with expert understanding of the good and justice to guide the ship of state toward the just and good life for citizens that society aims to achieve. These experts need not take account of the views of soldiers or others necessary to the life of a society when they guide the ship of state, just as a pilot at sea need not take account of the views of crew or passengers.

According to Plato, justice is served by each performing their role according to the nature of their soul, of which there are three kinds: those that seek knowledge, honour, or pleasure, which includes means to pleasure, such as power. Plato's claim that a just city has citizens who keep to their own proper tasks in a social division of labour reflects Vedic philosophy¹ and the practical necessities of the Spartan system of state feudalism:

Meddling and exchange between these three classes [money-makers, soldiers and judges or guardians], then, is the greatest harm that could happen to a city and would rightly be called the worst thing that someone could do to it.

Exactly.

And wouldn't you say that the worst thing that someone could do to his city is injustice?

Of course.

Then, that exchange and meddling is injustice. Or to put it the other way around: For the money-making, auxiliary, and guardian classes each to do its own work in the city is the opposite. That is justice, isn't it, and makes the city just?²

While it will be best for society that people have roles for which they are suited, as Kosman (2007:123) says, it does not follow that this is justice, or that it amounts to "proper difference" between citizens, just because they are required to do what would be most appropriate for them, given their nature.

People should, perhaps, do what they are best at (Kosman, 2007:127). However, what people are best at depends on more than their innate or natural ability, which Plato represents by whether their souls are made of gold, silver or bronze. What people are best at reflects also what they want to do and how they are trained. People with natural gifts for both mathematics and art will become mathematicians or artists depending on whether they want to do sums or draw, and whether they have good teachers in mathematics or art.

That people do what they are best at will be a virtue of a collective enterprise, as sharpness is a virtue of a knife. However, one should not identify this last virtue with "justice," just because it seems to be left when the virtues of wisdom, courage and moderation are set aside (Plato, 1992:433b–c). Plato (1992:432c) claims that we must set ourselves like hunters so that "justice doesn't escape us and vanish into obscurity," but he simply assumes that justice will be found as a residual virtue.

According to Rawls (1999:3), justice is the first virtue of social institutions concerned with the distribution of rights and duties and the burdens and benefits of social cooperation, which involves something more than the technical virtues of cooperation

¹ "When they divided the man [the cosmic man, Purusha] into how many parts did they apportion him? What do they call his mouth, his two arms and thighs and feet? His mouth became the Brahmin [scholar priest]; his arms were made into the Warrior, his thighs the People [merchants and craftsmen], and from his feet the Servants were born." Anon, 1981, Mandala 10, hymn 90, verses 11–14.

² Plato, 1992:434b–c. The conversation is between Socrates and Glaucon. Plato does not talk about a fourth class, possibly because slaves and helots were not citizens in either Athens or Sparta.

with which Plato seems concerned, where contributors are supposed to play parts for which they have the required skills.

Rawls's idea of justice overlaps with that of Plato, inasmuch as Plato thinks a city is just "when no arbitrary distinctions are made between persons in the assigning of basic rights and duties and when the rules determine a proper balance between competing claims to the advantages of social life" (Rawls, 1999:5). At least, we may construe his assignment of people to what they do best, and their acceptance of shares that will avoid the dangers of love of wealth, as such an idea of justice. However, Plato conflates his idea of justice with what Rawls (1999:5) claims are other fundamental problems of establishing a society, which are "those of coordination, efficiency, and stability".

Justice is concerned with how fairly the interests of citizens are served by distribution of the burdens and benefits of social cooperation. Plato's virtue of having people do what they are best at might increase the social product, taking resources as given, but justice concerns how the burdens and benefits of this cooperation should be divided among contributors. These issues are causally connected, inasmuch as how the burdens and benefits of social cooperation are distributed will determine how much is produced, and how much is produced will determine what is distributed among contributors to social cooperation. Similarly, justice in individuals may be causally connected with justice in institutions but Rawls (1999:6) argues that justice in the way society is organised is not simply a matter of just individual conduct. These claims counter Plato's two arguments for his curious idea of social justice.

In the first argument, Plato (1992:439d–442d) claims that what he calls justice in society should also be a property of the soul of just individuals. In the second, he (1992:442e–444a) claims that just individuals in his sense will act in the same way as "just" people, according to what Plato calls the "vulgar" idea of justice, which is the commonsense idea of citizens of when people or arrangements are just or unjust. This happens, because wisdom and courage in just individuals help them not to be so taken over by desires for wealth that they overthrow rule by the best in the city:

And these two [the virtues of wisdom and courage], having been nurtured in this way, and having truly learned their own roles and been educated in them, will govern the appetitive part, which is the largest part in each person's soul and is by nature most insatiable for money. They'll watch over it to see that it is not filled with the so-called pleasures of the body and that it doesn't become so big and strong that it no longer does its own work but attempts to enslave and rule over the classes it isn't fitted to rule, thereby overturning everyone's whole life.³

Plato (1992:487a–489b) expresses contempt for a society that does not put the best in charge, likening it to a ship where everyone may pretend to know best where to go at sea. He adds that money-makers, which he calls "drones", will come to dominate and then bring down any democracy, replacing it with a tyranny. In the *Laws*, Book

³ Plato, 1992:442a–b. This passage makes it pretty clear what Plato has in mind, when he claims that a just person in his sense is incapable of acting unjustly in the "vulgar" sense.

VI, Plato tempers this view by taking the best regime to be a fusion of democracy and (virtuous) tyranny. Plato seems here to turn away from the *Republic's* attempt to describe the ideal form of a city, regardless of whether it is realisable, to an ideal that is stable and realisable.

Plato's intention is to nullify the worst elements of democracy and tyranny, tempering the pursuit of self-interest through power with elements of democratic accountability, while overcoming the dangers of accommodation of the interests of the majority with the leadership that is possible under tyranny. Those who know the good and justice can then guide the city toward a just social arrangement, where citizens serve out the roles for which their natures make them best suited.

Aristotle takes a different view from Plato of what makes democracy and tyranny bad. These systems are bad due to factionalism under a hollowing out of the rule of law, which prevents government from having as its aim the common good. Aristotle (1997:1279a32–1279b4) entertains three models of sound government, which aim at the common good (monarchy, aristocracy and polity), and three deviations (tyranny, oligarchy and democracy), where political power serves one military leader, a wealthy few or the poor majority rather than the common good.

Aristotle (1934:1130b, 30–35; 1131, 25–33) also introduces a new idea of justice, in which citizens receive what they deserve of the goods, such as wealth and honours, which may be divided among citizens in equal or unequal shares. Justice is said to be a mean between taking too much and giving too little to one's neighbour, on the one hand, and taking too little and giving too much, on the other hand (Aristotle, 1934:1134a, 1–7). This mean is realised in “proportionately equal” shares, which for Aristotle are properly determined by the relative moral virtue of citizens: “And there will be the same equality between the shares as between the persons ... it is when equals possess or are allotted unequal shares, or persons not equal equal shares, that quarrels and complaints arise” (Aristotle, 1934:1131, 20–25).

Monarchy is praised as an institution that is appropriate when individuals or families stand out so far in virtue that they might be compared with a God on earth (Aristotle, 1997:1284a3; 1288a15). This sentimental gesture to the royal family of Macedon was no doubt expedient at the time. Nevertheless, it also gels with Aristotle's wider view that a happy society is one where the objectively best in virtue hold political power. Those with virtue include citizens, who are warriors when young and decision makers when old, but exclude those who live a “mechanical or commercial way of life [because] such ways of life are low born and opposed to virtue” (Aristotle, 1997:1328b33).

Despite his strong commitment to aristocracy, and also to monarchy in cases where one person or family shows exceptional virtue, Aristotle nevertheless allows that a polity can be an acceptable form of government. Aristotle (1997:1281a42) notes that: “For the many, each of which is not a [distinguished] man, nevertheless could, when they have come together, be better than those few best—not, indeed, individually but as a whole, just as meals furnished collectively are better than meals furnished at one

person's expense". Although their judgement can be less one sided and thus better than that of a few, the defect of rule by the many is that their capacity for decisive action is not as reliable.

A polity could thus combine functions of election and audit of rulers, where the many might be better than the best, with functions of decision exercised by the best in responsible positions. Aristotle (1997:1282a7) considers the objection, which Plato might put forward, that "choosing rightly is ... the work of experts, as choosing a ... pilot is that of experts in navigation". The reply to this is that "in the case of some arts ... it is not only the maker who might be the best judge. Appreciating a house ... does not just belong to the builder; the one who uses it ... will pass an even better judgement on it ... [as] the pilot judges the rudder better than the carpenter" (Aristotle, 1997:1282a, 14–20).

Aristotle concedes that it might not seem fitting to let ordinary people have a greater say than the best. However, his reply is that where ordinary people act collectively they will not individually have a greater say than the best. Electorates or juries, provided their members are not "too slavish", may have more say over some matters than political leaders or judges, since electorates or juries as collectives can be worthy in some respects, however rightly that may be denied of their members individually.⁴ Nevertheless, only the best should serve or make decisions in positions of responsibility in a polity, despite the role that citizens could have of collectively holding them to account (Aristotle, 1997:1281b31).

Plato and Aristotle thus urge that the best should rule, although they have different views of what makes people the best and what makes this just. Aristotle is prepared to concede that democratic accountability can be a good idea. However, Aristotle thinks that it should be limited to being able to vote out of office governments that a majority believes is failing to serve the common good. No guarantee can be given that majorities will be right in what they take to be the common good, but Aristotle thinks that electorates can collectively rise above the limitations of their individual members.

Until recently, many views of democracy were much like these. Christiano (2008: 2–3) introduces his discussion of democracy as a public expression of equality by listing two current objections that echo the views of Aristotle and Plato: democracy is a tyranny of the majority; democracy is rule by the ignorant.

John Rawls addresses both of these objections in his theory of justice and political liberalism. For Rawls, democracy is not a second best acceptable constitution of government, in cases where assemblies or juries of citizens can be said to have high standing, even if that cannot be said of most of their members taken individually. Rawls takes democracy to be a crucial part of a just "basic structure" of society.

Democracy is crucial to the basic structure of society since most, if not all, of the rights and duties of citizens are determined legislatively.⁵ Legislation also settles

⁴ Aristotle, 1997:1282a23–a33. The proviso is from the preceding paragraph.

⁵ While Rawls argues for some basic rights to be set in a constitution, Jeremy Waldron (2000:222–3),

conflicts over what is good for the society. This concerns issues other than those of constitutional essentials and basic rights. Disputes over how the latter are best realised through institutions of the basic structure of society might be determined, as Rawls suggests, by a civil exchange of appropriate reasons in what he calls the sphere of “public reason”:

A citizen engages in public reason, then, when he or she deliberates within a framework of what he or she sincerely regards as the most reasonable political conception of justice ... [which] expresses political values that others, as free and equal citizens might also reasonably be expected reasonably to endorse.⁶

Public reason aims to provide a public justification of the institutions a society adopts for basic liberties. While the details of these institutions and their rules can be disputed, Rawls thinks that such disputes can be settled in much the same way as disputes over what is the most reasonable liberal political conception of justice can be settled. This is a process of offering reasons for a political conception of justice in the course of striving for a wide reflective equilibrium that can be supported from the standpoint of any reasonable comprehensive moral view.

That Rawls envisages disagreement among people who support one liberal political conception of justice or another is not a retreat from taking justice as fairness to be the most reasonable of these, but it does mean that Rawls no longer thinks that there are conclusive reasons for the merits of justice as fairness (Cf. Freeman, 2007:256). Similarly, Rawls considers that disputes over how best to realise basic liberties in institutions will come to the conclusion that certain liberties should be given a constitutional guarantee, while others should be given legislative guarantees by a democratic legislature. This conclusion is not self-evident either. Nevertheless, Rawls claims that disagreement over these issues can be settled through the exercise of public reason, where one conclusion or another can be supported by reasons that invoke political values but do not depend on any particular comprehensive morality point of view.

This process cannot be taken as a model for necessary democratic decisions on what is good for society (Estlund, 2003:409–10). Rawls claims that we cannot assume that there are conclusive reasons that any reasonable person must accept in favour of any particular comprehensive moral point of view, like Mill's or Kant's versions of liberalism. This fact constitutes what Rawls (2001:34–37) calls the “burdens of judgement”. Given this fact, pluralism is unavoidable in a free society that will not resort to official crimes and brutality to enforce one single view of the good.

Those making decisions about policy must necessarily appeal to conflicting comprehensive moral points of view. There might be matters of “common interest”, on which perhaps near unanimous agreement might be reached. Deliberative democratic

argues that this gives a privileged few—members of a supreme court—disproportionate say over the interpretation of basic rights that are given a constitutional guarantee.

⁶ Rawls, 2005:450; see also Rawls, 2001:27–9.

processes might be one way to reach such agreement (Benhabib, 1996:69–70). Some matters, however, will not be ones of common interest. Where citizens have different conceptions of the good, it is not always possible to find a common interest. A near consensus is not likely over the relative extent of public and private property. Some might quite reasonably stress the importance of private property to autonomy, while others might reasonably stress the importance of planning in avoiding difficulties of coordinating privately interested parties through market relations alone. The first might argue that productive property should be basically private (See Waldron, 1988: 343–89). The second might argue for public ownership of the commanding heights of the economy. There is no guarantee that near consensus on such issues could be reached by democratic procedures, however deliberative. We cannot therefore aspire to answer Aristotle's objection to democracy as a tyranny of the majority by accepting his view that it can only be acceptable if it is a polity, where all major decisions are to be made in the common interest.

A plurality of views of the good is not only an obstacle to adopting a polity as society's political regime. It also provides a counter to a tyranny of the majority. A plurality of views of the good will mean that it will be unlikely that one single group will be a majority on nearly all issues. Individuals who are members of a minority on some issues will want their views to be taken into account as much as possible by the majority on those issues. They will therefore be less likely to take no account of the views of the minority when part of the majority on other issues.

There are two other compelling reasons to accept the legitimacy of democracy even when it makes majority decisions rather than decisions on matters of common interest. Rawls thinks that a just society will not contain the vast divisions of wealth and income that will constitute standing antagonisms between rich and poor, which Aristotle thinks will make democracy a tyranny of the poor. More importantly, substantive democracy is required to avoid the outcome that Plato envisages in the *Laws*, where an oligarchy rules within the forms of democracy.

For Rawls, justice requires a substantively democratic legislature to avoid having decisions that affect many decided by a few. The problem of having a few determining laws and policies in their interests is not solved simply by adopting a democratic form of government, such as a right to elect a legislature through democratic voting procedures. As Rawls (2001:101, fn. 23) observes, the system of formal democracy in the United States today could justifiably be regarded as no more democratic in substance than the various forms of government adopted in the imperial period of modern Germany from 1870–1945, where “the political will for a democratic regime was altogether lacking”, despite favourable conditions for it. The solution to the problem is to have substantive democracy, where all who are affected by laws and policies have an effective say in what those laws and policies will be, without their say being nullified by the say of a few, and with the say of minorities taken into account.

For Rawls, the crucial condition for substantive democracy is an equal value of political liberty for all citizens. Rawls distinguishes between liberty and its value.

Having political liberty is to have rights to stand for office, elect those who take office, to put issues on the public agenda and to be able to have an effective voice in policies and laws that solve those issues. Political liberty has value when individuals not only formally have these rights but can also make more or less effective use of them. Political voice in most, possibly all, modern democracies is a right but only a wealthy few can make effective use of this right. Rawls thinks that the value of political liberty will be fair for all when all have a roughly equal value of political liberty, which gives each citizen a roughly equal opportunity to take part in political life, even if not all citizens will want to take up this opportunity.

If we take the issue of political voice, one aspect is the effective right to form one's own views and to have an effective right to communicate those views to others. In this respect, the right will not be effective where the means to communicate to others is controlled by a wealthy few. Another aspect is to have an effective right to have an informed view of what is in one's interests, so that the views one forms and communicates to others are realistic expressions of one's interests. Democracy will be rule by the ignorant only if people are denied information and the ability to assess it. Plato assumes that knowledge of the good is possible only for those who have a natural capacity for it and that these will be few in number. However, there is no compelling reason to suppose that only a few are capable of grasping information for decisions about their own good or what will be good for a majority of society. In principle, all can have sufficient knowledge to make well-informed decisions about the good of society.

In a large modern society, there is a problem of access to information. In an ancient polity, participation might suffice for information about local conditions, though information about the wider world depended on reliable sources. In a large modern society, since participation will not suffice, access to all relevant information depends on reliable sources. The problem is that in actually existing modern democracies, privately wealthy individuals control most of those sources, regardless of whether they are reliable. Rawls is concerned that control of communication and the agenda for making political decisions should be independent of private wealth in a property-owning democracy, and also independent of government and the bureaucracy in a possible liberal socialist society, so that legislative decisions reflect the interests of all who will be affected by them and not just the interests of a few. This requires many institutional measures that Rawls (2001:149; §45.3) does not expand upon at length.

Rawls thinks that a fair value of liberty is crucial for political liberty but not for other basic liberties. Rawls (2001:151) claims that strife will arise over demands for an equal value of liberties such as religious liberty, which is a part of freedom of conscience, although Rawls does not clearly specify what an equal value in these cases amounts to, other than a principle of "proportionate" resourcing. On the other hand, what makes a fair value of political liberty important is that a substantive democracy must overcome the objection that a powerful few have a far greater say over legislation and policy than other citizens, because of the limited space of the political forum,

which cannot take forever to take into account the detailed views of everyone before decisions are made:

While it may appear ... that citizen's basic rights and liberties are effectively equal — all have the right to vote, to run for political office and to engage in party politics, and so on — social and economic inequalities in background institutions are ordinarily so large that those with greater wealth and position usually control political life and enact legislation and social policies that advance their interests. (Rawls, 2001:148)

David McKnight discusses this process in some detail in his book *Rupert Murdoch*.⁷ If democracy is not to be rule by the ignorant then new institutions of media information and education independent of both private wealth and government bureaucracies will be needed. If democracy is not to be a tyranny of the majority, new processes of deliberative democracy that strengthen discussion of matters of common interest will be needed. In the end though, a majority must make decisions about the good of society that fall outside the scope of common interest. These decisions can be of major importance, such as decisions about the balance between private and publicly owned property in a society's economy. But they need not be expressions of a tyranny of the majority if society has processes that support a commitment to justice, informed decisions on matters of common interest, and a more or less equal opportunity for a political voice for all citizens, especially where decisions cannot simply be about justice and matters of common interest.

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⁷ David McKnight, *Rupert Murdoch: An Investigation of Political Power* (Sydney, Melbourne, Auckland, London: Allen & Unwin, 2012). See also the forward by Robert Manne.

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